



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 13, 2003

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** NEIGHBORHOOD PRESERVATION ORDINANCE (NPO) UPDATE ACTIONS

**RECOMMENDATION:** That Council:

- A. Review the proposed Neighborhood Preservation Ordinance (NPO) Update Work Program and make necessary adjustments;
- B. Authorize the City Administrator to approve a contract for services of RRM Design Group to prepare a Neighborhood Visual Survey and Workshop and the graphics for the Single Family Residential Design Guidelines at a total cost for services not to exceed \$34,970; and
- C. Review the proposed NPO Update Steering Subcommittee membership categories and appoint Council representatives.

**EXECUTIVE SUMMARY:** Staff is asking Council to review and support three items related to the Neighborhood Preservation Ordinance (NPO) Update:

Work Program. The attached proposed work program consists of three phases, illustrated on Attachment 1. The Work Program includes public Neighborhood Visual survey workshops (described in Attachment 2), Steering Subcommittee review, and other committee reviews, including: Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), Planning Commission (PC), Ordinance Committee and City Council adoption.

Contract for Services. Per the July 29th, 2003 Council direction for limited consultant services, staff negotiated a contract with RRM Design for a smaller scope than the previous contract of approximately \$85,000. The revised Scope of Services is \$34,970. The consultant contract covers graphics to accompany a Single Family Design Guidelines update and conducting an initial Neighborhood Visual Survey public workshop. Staff will conduct most of the other tasks for preparing the NPO Update.

Steering Subcommittee Membership. An NPO Update Steering Subcommittee is needed to assist staff with public outreach, review standards and triggers as necessary, and develop the program. Staff proposes a nine-member committee made up of ABR, HLC, PC, and City Council appointed representatives.

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REVIEWED BY: \_\_\_\_\_ Finance \_\_\_\_\_ Attorney

Agenda Item No. \_\_\_\_\_

## **DISCUSSION:**

### Background

The Neighborhood Preservation Ordinance (NPO) was adopted in late 1991 and expanded the purview of the Architectural Board of Review (ABR) (and in some cases the Planning Commission) to include the review of proposed single-family residences based on certain size thresholds. The NPO also established and mapped the Hillside Design District and required review in these districts. The NPO was designed to essentially apply to two-story large single-family residential projects on in-fill or hillside lots. In the Hillside District, the NPO was designed to apply to single-family residential and one-story duplex projects on lots with over a 20% slope and/or projects proposing 250 cubic yards of grading or more.

Most planning programs are adopted with an assumption that review of the program's ability to effectively carry out its intended function will occur periodically. Adjustments to programs to solve problems that may arise is essential for effective planning. Over the past decade, a number of problems have arisen with the implementation of the NPO. Staff and many community members are eager to resolve issues associated with single-family development, which the NPO was adopted to address. In particular, the lack of specific standards to assist in determining neighborhood compatibility has led to lengthy public ABR hearings, disagreements between the public and the ABR, and appeals of ABR decisions. A clarification of the design terminology (height, bulk, scale), additional tools for design analysis, and a better understanding of what constitutes neighborhood compatibility are needed to re-establish a community-wide consensus on neighborhood preservation issues. The update to the NPO intends to achieve these important objectives while improving and simplifying regulations.

On April 29th and July 29th of last year, Council reviewed a proposed consultant contract of \$85,000 to assist staff with the NPO Update. At those hearings, Staff had recommended that Community Department budget salary savings be used for the hiring of professional consultants in order to keep the NPO Update moving forward. Council was also advised that proceeding with the NPO update would impact the Planning Division's workload. Due to significant budget constraints developments, Council voted not to proceed with the full \$85,000 contract amount and understood the NPO update would need to be delayed until staff was available. Council directed Staff to return with a reduced scope NPO contract between \$30 to \$40K with only consultant assistance for updating the Single Family Residential Design Guidelines and to develop a feasible alternative using Planning Staff to lead the NPO Update.

### Work Program

The attached Work Program illustration was presented in draft form to the joint City Council/Planning Commission Work Session on September 25, 2003. Also attached is a brief description of the Neighborhood Visual Survey public workshop concept, which can help neighborhoods discover preferred design solutions for new residences and home additions. The work program consists of the following three general phases.

- Phase I: Public "Neighborhood Visual Survey workshops" and initial input
- Phase II: Steering Subcommittee NPO Update recommendations review  
Consultant Single-Family Design Guidelines Illustrations
- Phase III: Committee reviews and Council Adoption (HLC, ABR, Ord. Committee, City Council)

Public review and input is crucial to the success of the NPO Update. The Work Program has been devised to maximize input from all neighborhood and professionals in the community. The public review process throughout the phases includes: Phase I: estimated six different workshops; Phase II: special public comment opportunities at Steering Subcommittee meetings; and Phase III: public hearings as the Architectural Board of Review, Historic Landmarks Committee, Planning Commission and City Council complete review.

#### Revised Contract Proposal

Staff reconsidered consultant proposals submitted in response to the original Request for Proposal (RFP), and concluded that RRM Design Group would be the best consultant choice for a revised contract. RRM has substantial experience and expertise in architecture/urban design, facilitation of public input and preparation of design guidelines. Staff renegotiated an acceptable contract with RRM. The new contract contains a narrowed scope for the consultant to:

- Conduct one initial public meeting – Neighborhood Visual Survey
- Limited consultant feedback regarding Staff draft guideline text
- Complete graphics for the updated Single Family Design Guidelines

City staff will draft and revise the Neighborhood Preservation Ordinance and Single Family Residential Design Guidelines. Staff will also interface with a Steering Subcommittee and conduct additional public review processes, largely without consultant assistance. The new \$34,970 contract complies with direction given by Council at the July 29, 2003 meeting.

#### NPO Steering Subcommittee

The Steering Subcommittee is needed to assist staff with public outreach, review standards and triggers as necessary, and developing the program. Over a series of meetings in five months, staff would present three types of information to the Steering Subcommittee and receive direction. Throughout all of the Steering Subcommittee review steps, public comment will be essential in shaping the updated NPO and Single Family Design Guidelines. First, staff will summarize issues identified during the community workshops, centered around Neighborhood Visual Survey results. Second, focusing on issues, which the Steering Subcommittee identifies as most important, staff will present "issue papers" which detail specific NPO problems and potential solutions. Some issue papers will include consultant graphics illustrating options available to address design issues. Third, utilizing Steering Subcommittee and public comment direction regarding preferred solution approaches, staff will present a draft updated NPO and draft consultant-illustrated updated Single Family Design Guidelines (see Attachment 3).

Once the Steering Subcommittee has completed review of the updated NPO and Single Family Design Guidelines, suggested revisions will be incorporated into the documents and then forwarded to other bodies for further review. After ABR, HLC, PC and Ordinance Committee Review, the documents will again be revised to incorporate the groups' comments and will then be forwarded to the City Council for adoption. Steering Subcommittee members and the groups they represent should coordinate throughout the five-month Steering Subcommittee review process. In this way, members of other hearing bodies will be able to more quickly understand the material and the rationale behind the product content when it is presented for review.

Staff proposes the following NPO Update Steering Subcommittee membership be patterned after the previous Urban Design Guidelines Task Force membership. Staff welcomes Council feedback regarding the proposed Steering Subcommittee membership. The recommended appointments from each group are as follows:

2 ABR Members (at least one of the two members an architect)	2 PC Members
1 HLC Member	2 City Council Members

Please note that staff considered recommending two Allied Neighborhood Association members be part of the Steering Subcommittee. However, the Allied Neighborhood Association includes many neighborhoods and has a diverse membership with a multitude of interests. The ability for two members of the Allied Neighborhood Association to effectively represent the entire organization could be difficult. Also, there could be interest from design professionals and architects to be represented on the Steering Subcommittee. Therefore, staff proposes the Allied Neighborhood Association, design professionals, and all interested individuals participate in the Steering Subcommittee process through public comment. All Steering Subcommittee meetings will be publicly noticed and there will be public comment periods provided at each meeting. The public involvement process proposed in the Work Program is extensive and will better allow for a full range of input.

#### Recommendation

Staff recommends that Council review the proposed NPO Update Work Program and make necessary adjustments; authorize the RRM Design Group contract; and approve the proposed NPO Steering Subcommittee membership.

#### **BUDGET/FINANCIAL INFORMATION:**

The contract amount is \$34,970, which has already been appropriated by Council for this purpose. Additional costs include staff time for background research, public workshops, committee review meetings, guideline drafting and revisions and adoption hearings. Funds for duplication of draft design guidelines, workshop handouts, and materials for the Steering Subcommittee review; workshop and public hearing postcard mailings and newspaper advertisements; Neighborhood Visual Survey Workshop response tabulation equipment; meeting room reservation fees; Spanish translation for one of the community meetings and other materials costs are also requested. The total additional cost for the non-staff time efforts is expected not to exceed \$10,000 and would also be taken from the previously appropriated salary savings.

The total Council directed staff to work on this item as a priority while minimizing consultant expenditures; therefore staff time will be fairly significant. This revised approach reduces total expenditures from \$93,500 to (\$85,000 + \$8,500) to \$44,970 (\$34,970 + \$10,000).

**ATTACHMENTS:**

1. Work Plan Illustration
2. Neighborhood Visual Survey Workshops Description
3. Neighborhood Preservation Ordinance Update Work Program Overview

**PREPARED BY:** Heather Baker, Project Planner

**SUBMITTED BY:** Paul Casey, Community Development Director

**APPROVED BY:** City Administrator's Office